IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:10CV131-01-MU

JACKIE EMMITT MOOREHEAD,)
Plaintiff,)
v.) <u>ORDER</u>
ALVIN W. KELLER, et al.,)
Defendants.)
)

THIS MATTER comes before the Court upon Plaintiff's Motion to Amend Complaint (Doc. No. 4) filed June 29, 2010.

Rule 15 of the Federal Rules of Civil Procedure governs the procedure for amending Complaints in civil actions. Pursuant to Rule 15(a)(1) a party may amend its pleading once as a matter of course within 21 days after serving it. In all other cases, absent bad faith, undue prejudice to the opposing party, or futility of amendment, leave to amend under Rule 15(a) shall be freely given. See Forman v. Davis, 371 U.S. 178, 182 (1962).

Plaintiff's Motion to Amend (Doc. No. 4) was filed within 21 days and as such it is granted as a matter of course. The Court notes that Plaintiff has also filed two addendums to his Motion to Amend specifying the relief he seeks on his amended claim and naming Betty Brown, the Director of Chaplaincy Services, as the individual responsible for stopping the Messianic and Orthodox Judaism services.

THEREFORE, IT IS HEREBY ORDERED that:

1. Plaintiff's Motion to Amend (Doc. No. 4) is **GRANTED**;

- 2. The Clerk is directed to add Betty Brown as a defendant in this matter; and
- 3. The Clerk shall issue summons and deliver it forthwith to the U.S. Marshal who will make service of process without additional cost on Defendant Brown.

Signed: July 15, 2010

Graham C. Mullen

United States District Judge